

**National Park Service
U.S. Department of the Interior**

**Fort Sumter National Monument
South Carolina**



Secondary Ferry Departure Point Finding of No Significant Impact November 2003



FINDING OF NO SIGNIFICANT IMPACT

General Management Plan Amendment and Environmental Assessment

Secondary Ferry Departure Point, Fort Sumter National Monument

Fort Sumter is located on a man-made island of 2.5 acres at the northeastern terminus of a marshy shoal that extends east from James Island to the inlet of Charleston Harbor, South Carolina. Today the boundary of Fort Sumter National Monument including Fort Moultrie (fee and easement) encompasses slightly more than 200 acres. Park boundaries include 122.5 acres of submerged land surrounding the island. The Liberty Square visitor education center and dock is located on an 8.88 -acre site along the west bank of the Cooper River at the foot of Calhoun Street in Charleston. Fort Moultrie, located on Sullivan's Island, comprises 60 acres.

Although two ferry departure points to Fort Sumter have been used since 1986, the park's 1998 general management plan recommended that water based visitor transportation to Fort Sumter leave from one primary departure point at the newly constructed Fort Sumter visitor education center/dock on the west bank of the Cooper River, called Liberty Square. Since then, the Charleston area has undergone many changes, including rapid growth and increased visitation to the park and other surrounding attractions. After a recent review of governmental stakeholder perspectives, the National Park Service recognized the need to re-open the public discussion regarding the number and location of departure points.

The National Park Service intends to improve ferry service to Fort Sumter by providing two ferry departure points, thereby providing visitors the choice in where they depart for Fort Sumter. The environmental assessment analyzed the impacts of providing one departure point at Liberty Square (no action) and of providing a second ferry departure point in the Mount Pleasant/East Cooper River area while also maintaining the Liberty Square primary departure point (the preferred alternative).

Unlike the no action alternative, the preferred alternative provides a long-term solution to the area's need for a second departure point, allowing for the widest range of beneficial uses of the environment, resource protection, visitor safety and enjoyment, and cultural resource protection, without degradation of resources. The preferred alternative will result in moderate to major, long-term beneficial effects on visitor use and experience.

SELECTED ALTERNATIVE

The preferred alternative was selected as the alternative that meets the objectives associated with the purpose and need for the proposed action. Two ferry departure points will exist, one at Liberty Square and a second departure point located in the Mount Pleasant/East Cooper River area. The majority of the environmental impacts of constructing, if necessary, and operating a second departure point in the Mount Pleasant/East Cooper River area will be negligible to minor, long-term, and adverse; however, these can all be avoided or minimized through careful site selection, on-site design and implementation of mitigation measures. The following is a summary of the main features of the preferred alternative.

Facilities Description: The existing National Park Service Liberty Square facility, including the museum, square, and a large ferry service and dock facility, will continue to operate as a departure

point for Fort Sumter. An additional departure point will be maintained in the Mount Pleasant/East Cooper River area.

Visitor Services Provided: The existing interpretation facility at Liberty Square will continue to provide visitor services. A second and smaller facility will be constructed or incorporated within a facility, if necessary, and operated in the Mount Pleasant/East Cooper River area. This facility will include a dock, ticket sales area, restrooms, exhibits, parking area, and connecting access roads with appropriate directional signs.

Facilities Requirements: No additional facilities will be required at Liberty Square. Similar facilities will be required at the second departure point to support visitor needs described above. Additionally, periodic maintenance dredging will not be required at Liberty Square for the ferry, however, periodic dredging would continue to occur in the Charleston Harbor. Maintenance dredging may be required at a second location to a depth of up to 15 feet mean low water (depending on the configuration of the ferry) to provide an adequate water depth to operate a 300 or more passenger ferry safely.

Mitigation Measures

Best management practices and mitigation measures will be used to prevent or minimize adverse effects associated with the action. These practices and measures will be incorporated into project construction activities to reduce levels of adverse effects.

ALTERNATIVES ANALYZED IN THE ENVIRONMENTAL ASSESSMENT

The preferred alternative and the choice of taking no action were fully analyzed in the environmental assessment. The rationale for eliminating the no action alternative is outlined below.

The no action alternative describes the action of continuing the present management operation and condition. Continue current management/no action is the baseline condition against which proposed activities were compared. This alternative would be to implement the 1998 general management plan as written and approved. The park's 1998 general management plan directed that visitors board the Fort Sumter ferry at one location when the new NPS facilities at Liberty Square were completed. Ferry boats would no longer depart for Fort Sumter from Patriots Point. Continuing the existing single-departure point to Fort Sumter from Liberty Square would not provide the widest range of beneficial uses and visitor experiences.

Alternatives Dismissed

The National Park Service considered and rejected several alternatives before development of the preferred alternative. Brief descriptions of these preliminary alternatives, and the reasons for dismissal, are outlined in the environmental assessment.

ENVIRONMENTALLY PREFERRED ALTERNATIVE

As stated in Section 2.7.D of Director's Order #12 and Handbook, the environmentally preferred alternative is the alternative that will promote the national environmental policy expressed in the National Environmental Policy Act (NEPA) (Sec. 101 (b)). This includes alternatives that:

1. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations.
2. Ensure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings.
3. Attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences.
4. Preserve important historic, cultural, and natural aspects of our national heritage and maintain, wherever possible, an environment that supports diversity and variety of individual choice.
5. Achieve a balance between population and resource use that will permit high standards of living and a wide sharing of life's amenities.
6. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

The National Park Service has identified the preferred alternative, as the environmentally preferred alternative. This alternative will attain the widest range of beneficial uses of the environment, biological resource protection, visitor safety and enjoyment, and cultural resource protection, without degradation of resources. Specifically, the preferred alternative meets the criteria for the environmentally preferred alternative by ensuring:

long-term protection of the park resources and providing for public understanding and appreciation of Fort Sumter and its significance (Criterion 1);

additional opportunity for all visitors to experience the Civil War from either the Mount Pleasant/East Cooper River area departure point or from Liberty Square (Criterion 2);

operation of a second departure point with features and standards similar to those at Liberty Square, allowing visitors a choice in determining their point of departure (Criterion 3 & 4);

that the number of ferry boats arriving and departing to and from Fort Sumter would be similar to existing conditions, and the number of visitors would not exceed 385 people on the historic fort at one time, thereby continuing to protect the resources at Fort Sumter (Criterion 3 & 4);

that the National Park Service is better able to achieve its long range mission goal of providing a balance between human use and benefits while at the same time protecting the park's cultural and natural resources that are vital to the park's long term survival (Criterion 1 & 5); and

that goals regarding recycling and reuse of resources are met at all Fort Sumter facilities, including Liberty Square and the second departure point (Criterion 6).

WHY THE PREFERRED ALTERNATIVE WILL NOT HAVE A SIGNIFICANT EFFECT ON THE HUMAN ENVIRONMENT

As defined in 40 CFR §1508.27, significance is determined by examining the following criteria:

Impacts that may be both beneficial and adverse (A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.)

Over the short term, negligible to minor adverse effects may be generated by potential construction activities associated with a second departure point. If construction is required, wildlife may be disturbed by activities and noise during construction, vegetation may be removed and soils disturbed, and increased sediment could, temporarily, affect local surface water quality. However, these impacts would be avoided should a location be selected that does not require construction activities.

Over the long term, moderate to major, beneficial effects on visitor use and experience will occur by providing visitors with a choice for their departure point in addition to contributing to local, regional, and national efforts to preserve cultural resources and to interpret them for public education and enjoyment.

The degree to which the proposed action affects public health or safety

No appreciable effects to public health and safety are anticipated under the preferred alternative. Ferry boat operators are required to comply with U.S. Coast Guard standards and appropriate federal guidelines under the American Disabilities Act. Appropriate National Park Service requirements and safety codes would be met.

Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas

There are no designated ecologically critical areas, wild and scenic rivers, or other unique natural areas in the vicinity. Lands in the vicinity of the Mount Pleasant/East Cooper River area do not meet the definition of prime farmland or unique agricultural land.

Freshwater and estuarine wetlands are located in the vicinity. Construction of the second ferry departure point, if necessary, could have moderate, direct, long-term adverse effects on wetlands in the Mount Pleasant/East Cooper River area. Effects would be largely avoided and/or minimized through proper site selection and planning.

Construction of the second point, if necessary, in previously undisturbed areas could have potential long-term, direct or indirect, negligible to minor adverse effects on cultural resources. Effects would be largely avoided and/or minimized through proper site selection and planning. These effects would be analyzed in a future NEPA document associated with a concessions prospectus.

The degree to which the effects on the quality of the human environment is likely to be highly controversial

Implementation of the preferred alternative will not be controversial. Some local controversy was generated during the scoping process. However, issues identified during scoping and analysis were adequately addressed in the general management plan amendment and environmental assessment. No controversial issues were raised during the environmental assessment public review.

Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risks

The risks to the quality of the human environment associated with the preferred alternative will be negligible. There were no highly uncertain, unique, or unknown risks associated with implementation of the preferred alternative.

Degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration

The preferred alternative neither establishes a National Park Service precedent for future actions with significant effects nor will it represent a decision in principle about a future consideration.

Whether the action is related to other actions with individually insignificant but cumulatively significant impacts

No significant cumulative impacts were identified during the environmental analysis.

Degree to which the action may adversely affect districts, sites, highways, structures, or objects listed on National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources

Construction, if necessary, in previously undisturbed areas may affect previously unknown archaeological or historical sites. Effects would be largely avoided and/or minimized through proper site selection and planning. This alternative may potentially make a minor contribution to long-term adverse cumulative effects on cultural resources outside the park.

Degree to which the action may adversely affect an endangered or threatened species or its critical habitat

The preferred alternative may affect but is not likely to adversely affect state and federally listed species in the Mount Pleasant/East Cooper River area, along the ferry route to Fort Sumter, or in the vicinity of Fort Sumter. These species are rare and would only occasionally occur in the vicinity. The U.S. Fish and Wildlife Service concurred with the determination that the proposed action is not likely to adversely affect federally listed or proposed endangered and threatened species. However, the U.S. Fish and Wildlife Service do recommend that if construction activities are required, that these activities take place from September through April to minimize potential impacts to manatees.

Whether the action threatens a violation of Federal, state, or local environmental protection law

The preferred alternative will not violate any federal, state, or local environmental protection laws.

Impairment

In addition to reviewing the list of significance criteria, the National Park Service has determined that implementation of the preferred alternative will not constitute an impairment to Fort Sumter National Monument's resources and values. An impact will be more likely to constitute impairment to the extent that it affects a resource or value whose conservation is:

Necessary to fulfill specific park purposes identified in the establishing legislation or proclamation of Fort Sumter National Monument;

Key to the natural or cultural integrity of Fort Sumter National Monument or to opportunities for enjoyment of the park; or

Identified as a goal in the park's general management plan or other relevant National Park Service planning documents.

This conclusion is based on a thorough analysis of the environmental impacts described in the project's environmental assessment, public comments received, relevant scientific studies, and the professional judgment of the decision-maker guided by the direction in National Park Service *Management Policies* (December 27, 2000). Although implementation of the project will cause short-term, localized adverse effects, in all cases these can be avoided or minimized through careful site selection, on-site design and implementation of mitigation measures. Overall, implementation of the preferred alternative will result in benefits to visitor use and experience and will increase opportunities for the park's long-term enjoyment. A second ferry departure point will not result in impairment of Fort Sumter National Monument resources and values and will not violate the National Park Service Organic Act.

PUBLIC INVOLVEMENT AND CONSULTATION

Scoping is the effort to involve agencies and the general public in determining the scope of issues to be addressed in the environmental document. Among other tasks, scoping determines important issues and eliminates issues not important; allocates assignments among the interdisciplinary team members and other participating agencies; identifies related projects and associated documents; identifies other permits, surveys, consultations required by other agencies; and creates a schedule which allows adequate time to prepare and distribute the environmental document for public review and comment before a final decision is made. Scoping includes any interested agency or any agency with jurisdiction by law or expertise (including the Advisory Council on Historic Preservation, the State Historic Preservation Officer, and Indian tribes) to obtain early input.

In March 2003, the park held three public scoping workshops, one in North Charleston, one in Charleston, and one in Mount Pleasant, as well as a scoping workshop with potential concessionaires. Interviews were also conducted and information was collected from local, state and federal agencies.

Scoping helped define the range of ferry service alternatives, criteria for ferry service, and identify the impact topics that should be considered for the project.

During scoping for this environmental assessment, the park contacted the fifteen federally recognized tribes with ties to South Carolina, as well as ten non-federally recognized tribes and related organizations in South Carolina via letter on April 21, 2003. No responses to the scoping letter were received from any of the tribes.

During development of this environmental assessment, the park contacted the South Carolina State Historic Preservation Officer (SHPO) regarding the project. The SHPO did not comment on the proposed project.

The U.S. Fish and Wildlife Service and the South Carolina Department of Natural Resources, Heritage Trust Program were contacted by letter regarding this project on September 3, 2003. The National Marine Fisheries Service was contacted by letter on February 17, 2003, as well as by telephone during October 2003. The U.S. Fish and Wildlife Service concurred with the determination that the proposed action is not likely to adversely affect federally listed or proposed threatened or endangered species. However, the U.S. Fish and Wildlife Service does recommend that if construction activities are required, that these activities take place from September through April to minimize potential impacts to manatees. The South Carolina Department of Natural Resources stated that the federally endangered shortnose sturgeon is known to occur in the Charleston Harbor.

CONCLUSION

The preferred alternative does not constitute an action that normally requires the preparation of an environmental impact statement (EIS), and the preferred alternative will not have a significant effect on the human environment. Negative environmental impacts that could occur are negligible to minor. There are no unmitigated, adverse impacts on public health, public safety, threatened or endangered species, sites or districts listed in or eligible for listing in the National Register of Historic Places, or other unique characteristics of the region. In addition, no highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence have been identified and implementing the preferred alternative will not violate any federal, state, or local environmental protection law. There will be no impairment of park resources or values resulting from implementation of the preferred alternative.

Based on the foregoing, the National Park Service has determined the preferred alternative will not have a significant effect on the human environment and that an environmental impact statement is not required for this project and this will not be prepared.

ERRATA SHEETS

General Management Plan Amendment and Environmental Assessment Secondary Ferry Departure Point, Fort Sumter National Monument

The *General Management Plan Amendment/Environmental Assessment, Secondary Ferry Departure Point, Fort Sumter National Monument* was on public review for 30 days, ending November 19, 2003. A total of seven letters and four e-mails were received during the review period on the draft general management plan amendment and environmental assessment. Substantive comments were analyzed consistent with the guidance provided in the National Park Service's *Director's Order No. 12*, the National Park Service guidelines for environmental compliance. Comments are considered substantive when they: a) question, with reasonable basis, the accuracy of information in the draft environmental assessment, b) question, with reasonable basis, the adequacy of the environmental analysis, c) present reasonable alternatives other than those presented in the draft environmental assessment, or d) cause changes or revisions in the proposal. Comments that state a preference for one alternative (or component of an alternative), state opinions, or are outside the scope of the project, are not considered substantive.

National Park Service editorial review resulted in changes to text in the general management plan amendment/environmental assessment and are listed in the **Changes in the Text** section below. The remaining substantive comments are addressed in the **Response to Comments** section of these errata sheets. The combination of the general management plan amendment/ environmental assessment and the errata sheets form the complete and final record on which the Finding of No Significant Impact is based.

CHANGES IN THE TEXT

Page 25, Table 3, first row, columns two and three, delete "100 foot, 300 plus passengers" and replace with the following text:

U.S. Coast Guard carrying capacity of 300 or more passengers.

Page 25, Table 3, first row, column four, add the following text:

Ferry would be able to use existing National Park Service pier at Liberty Square and Fort Sumter

Page 26, Table 3, row four, column four, replace sentence "no wastewater disposal from boats at dock" and replace with the following text:

No wastewater disposal from boats at Liberty Square dock.

A pump out station may be considered at the Mount Pleasant/East Cooper River area departure point.

Page 62, paragraph 4; replace this paragraph with the following text:

Alternative B could potentially involve construction of a second ferry departure point at an undetermined location in the Mount Pleasant/East Cooper River area. Alternative B would have a potential for producing soil erosion and surface water runoff during construction, if necessary, since some degree of

soil disturbance would occur. Possible facility construction that could involve ground disturbing activities include the landward portion of the dock, the parking area, any access road construction if necessary, or other cleared areas. These types of construction activities, if required, would result in minor, short-term, direct, adverse effects that would be mitigated by the implementation of appropriate best management practices (see Table 4).

Page 109, paragraph 3, last sentence; replace this sentence with the following text:

Patriots Point Road is currently being widened from a two-lane facility to a four-lane boulevard, with construction scheduled to be complete in April 2004. Additionally, the extension of Wingo Way by the town of Mt. Pleasant to Patriots Point Boulevard will provide access to the Charleston-bound on-ramp being constructed as part of the bridge replacement project. This project will be completed in conjunction with the bridge replacement in Fall 2005.

RESPONSE TO COMMENTS

Eight comments were received indicating support of and preference for a secondary departure point in the Mount Pleasant/East Cooper River area. These comments were not considered substantive.

As described in the general management plan amendment and environmental assessment, the National Park Service intends to improve ferry service to Fort Sumter by providing a second ferry departure point in the Mount Pleasant/East Cooper River area while also maintaining the Liberty Square primary departure point (the preferred alternative). The preferred alternative was selected as the alternative that meets the objectives associated with the purpose and need for the proposed action. Two ferry departure points will exist, one at Liberty Square and a second departure point located in the Mount Pleasant/East Cooper River area.

One comment was received indicating the desire to see Fort Sumter restored to its original grandeur for future generations to come.

It is the goal of the National Park Service to preserve the important historic, cultural, and natural aspects of our national heritage and fulfill the responsibilities of each generation as trustee of the environment for succeeding generations. The National Park Service makes every effort to maintain and preserve the resources of Fort Sumter National Monument. Fort Sumter is preserved as a stabilized ruin representative of the destruction that occurred during the Civil War. The fort was occupied from the Civil War until 1948 and as such contains other significant historic resources such as Battery Huger, a structure from the Spanish American War.

One comment was received suggesting that the use of the term “secondary” be removed from descriptions of a proposed Mount Pleasant departure point. The individual believes that it may mistakenly lead the public to conclude that the departure point is inferior to Liberty Square, or otherwise inadvertently cause people to avoid using a Mount Pleasant departure point.

The term “secondary” was used for the purposes of distinguishing the departure points in the analysis conducted for the environmental assessment. The intent is not to mislead the public. The term

“secondary” will not be used when an actual site is selected and evaluated, nor will the term secondary be used for signage, informational, or locating purposes in the future.

One comment was received supporting the decision to eliminate water shuttles as a possible alternative.

The National Park Service agrees that the water shuttles are currently not a feasible alternative. However, the National Park Service recognizes that various entities in the greater Charleston area will continue to explore the feasibility of linking selected areas through the integration of water and/or surface transportation systems, which may complement the action selected by the National Park Service. The National Park Service supports these efforts and will continue to work with the appropriate local, state, and federal agencies, as well as other organizations, in planning and implementing future regional transportation systems.

One comment was received indicating that descriptions in the environmental assessment that treat new construction at the Mount Pleasant/East Cooper River departure point as necessary and a certainty (specifically on page 62, Impacts of Alternative B) are not accurate.

The park agrees that construction may not be required at all potential departure points. The text of the environmental assessment has been revised, as described above in the **Changes in the Text** section.

One comment was received concerning the Transportation section of the environmental assessment, providing clarification for the statement that none of the other roadways that provide access to the departure points are programmed for improvements.

The text of the environmental assessment has been revised to include roadway information, as described above in the **Changes in the Text** section.

One comment was received indicating that there are no regulations under the Americans with Disabilities Act (ADA) that are specific to vessels or ferry docks. The individual suggests that the general management plan amendment not include a requirement that accessibility standards that do not exist be met.

National Park Service operations are covered by Section 504 of the Rehabilitation Act of 1973. To meet these requirements, the National Park Service has adopted the concept of universal design. Universal design is the design of projects and environments to be useable by all people, to the greatest extent possible, without the need for adaptation or specialized design. The intent of the universal design concept is to simplify life for everyone by making products, communications, and the built environment more useable by more people at little or no extra cost. The universal design concept targets all people of all ages, sizes and abilities.

The National Park Service is concerned with enabling people with disabilities to have access to parks and facilities as well as enable individuals with disabilities to receive as close to the same benefits as those received by visitors who do not have disabilities.

One primary tenet of disability rights requirements is that, to the highest degree reasonable, people with disabilities should be able to participate in the same programs and activities available to all. In choosing among methods for providing accessibility, priority will be given to those methods that offer programs and activities in the most integrated setting appropriate. Special, separate, or alternative facilities, programs, or

services will be provided only when existing ones cannot practicably be made accessible. The determination of what is reasonable will be made only after careful consultation with persons with disabilities or their representatives.

One comment was also received concerning the requirement on page 25 that passenger vessels be at least 100 feet in length. The individual states that neither of the current Fort Sumter ferry boats is 100 feet in length, but have sufficient capacity to meet the 300 passenger requirement. The individual suggests that there be no minimum capacity requirement other than a U.S. Coast Guard passenger requirement of 300 passengers or more. The individual also states that there should be a provision for waiver of the size and capacity standards for backup vessels that are only used on an intermittent basis.

Table 3 of the environmental assessment has been revised as described above in the **Changes in the Text** section. The concessions prospectus may address additional concerns such as backup vessels.

A comment was received requesting clarification for the requirement on page 25, which states that any dock lease “conform to terms of concessions contract.” The individual suggests that the standard require that the dock lease be of a sufficient term of years, including options to renew, to provide service to Fort Sumter for the duration of the concessions contract, and not be interpreted to mean that substantive provisions, rights, or obligations under an existing dock lease must be altered.

Any concessioner lease should be consistent with the defined operating needs for ferry service to Fort Sumter and allow for the development of the NPS requirements listed in Table 3. The term of the lease should be for the same period as the new Fort Sumter concession contract.

A comment was received concerning wastewater disposal, addressed on pages 26 and 62, and the provision that wastewater disposal is not permitted at the dock from which the East Cooper ferry boats depart. The individual indicates that holding tanks are currently located at the Patriots Point dock, and that such a practice should continue to be permitted under the general management plan amendment.

The text of the environmental assessment has been revised as described above in the **Changes in the Text** section.

In addition to the above written comments, there were also seven other individuals that spoke at the October 29, 2003, public meeting in Mount Pleasant, indicating support of and preference for a Mount Pleasant/East Cooper River departure point.